United Nations A/AC.249/1998/L.18

General Assembly

Distr.: Limited
2 April 1998

Original: English

Preparatory Committee on the Establishment of an International Criminal Court
16 March-3 April 1998

Recommendation adopted by the Committee on the Rights of the Child

Cooperation with other United Nations organs and other competent bodies

The Committee on the Rights of the Child,

Welcoming the progress made by the Preparatory Committee on the Establishment of an International Criminal Court in preparing a draft consolidated text of a convention on the establishment of an international criminal court,

Welcoming also General Assembly resolution 52/160 of 15 December 1997, in which the Assembly decided, *inter alia*, that the United Nations Conference of Plenipotentiaries on the Establishment of an International Criminal Court would be held in Rome from 15 June to 17 July 1998, with a view to finalizing and adopting a convention on the establishment of such a court,

Emphasizing the importance of ensuring that, in creating a permanent mechanism for the prevention and punishment of serious crimes of concern to the international community as a whole, the statute of the international criminal court duly take into account the need to protect the rights of children, both as victims and possible perpetrators of such crimes, in accordance with the principles and provisions set forth by the Convention on the Rights of the Child,[1]

Considering that, in this respect, special attention should be devoted to the issues of definition of war crimes, age of criminal responsibility, aggravating and mitigating circumstances of the crimes and the protection of the rights of the child within the court's jurisdiction,

Recalling that, under article 43, paragraph 1, of the Convention on the Rights of the Child, the Committee was established for the purpose of examining the progress made by

[1] General Assembly resolution 44/25, annex.

98-09364 (E) 020498

States parties in achieving the realization of the obligations undertaken under the Convention,

1. *Recommends* to all States parties to and signatories of the Convention on the Rights of the Child[1] to operate, in the Preparatory Committee on the Establishment of an International Criminal Court and at the United Nations Conference of Plenipotentiaries on the Establishment of an International Criminal Court, with a view to ensuring that the provisions of the statute of the international criminal court be in line with the principles and provisions of the Convention on the Rights of the Child with respect to the various aspects of the protection of children's rights;

2. *Also recommends* that special attention be devoted, in this context, to the rights of the child in the areas of definition of war crimes, age of criminal responsibility, aggravating and mitigating circumstances of the crimes and the protection of the rights of the child victim within the jurisdiction of the court.